



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

July 31, 2020

In Reply Refer To:

EPA Complaint No. 04Dr-20-R6

Richard Newton
Mayor
City of Colleyville
100 Main Street
Colleyville, TX 76034

Re: Rejection of Administrative Complaint

Dear Mayor Newton:

This letter is to notify you that the Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), is rejecting the complaint, filed against the City of Colleyville (City) received by ECRCO on July 9, 2020. The complaint alleges that the City discriminated against a resident, on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973, and alleges that the City took retaliatory actions against the Complainant. After careful consideration, ECRCO is rejecting this complaint for further action, as EPA does not have jurisdiction to investigate further.

Pursuant to EPA's nondiscrimination regulation, ECRCO conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the appropriate Federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in the EPA's nondiscrimination regulation. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulation (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

In general, ECRCO will accept, reject, or refer a complaint after considering the jurisdictional requirements described above. ECRCO has reviewed available information and determined that the City is not an applicant for or recipient of EPA financial assistance. ECRCO therefore lacks jurisdiction to accept this complaint for investigation. However, our preliminary review found that in September 2019, the City received financial assistance from the Federal Emergency Management Agency, which is a component agency of the Department of Homeland Security.

In light of the above, we are closing this complaint with ECRCO as of the date of this letter. If you have questions about this letter, please contact Jonathan Stein, by phone at (202) 564-2088, by email at stein.jonathan@epa.gov, or by mail at U.S. EPA External Civil Rights Compliance Office, (Mail Code 2310A), 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460.

Sincerely,

Dale Rhines
Deputy Director
External Civil Rights Compliance Office
Office of General Counsel

cc: Angelia Talbert-Duarte
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